



**Town of Arlington, Massachusetts**  
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## **Zoning Board of Appeals Minutes 06/23/2009**

JUNE 23, 2009

### **MEMBERS IN ATTENDANCE;**

Joseph Tulumieri, Chairman  
Susan McShane  
Curtis Morgan

#### **DOCKET NO.3366 - Town of Arlington, Russell Commons Parking Lot**

Legal Counsel Juliana Rice presented the petition seeking permission to allow parking for 2 commercially owned vehicles on this site. Zipcar, owner of the vehicles, will furnish snow removal. The board voted unanimously to grant the SPECIAL PERMIT and requested that any signage be removed from this and any vacated site in a timely manner.

#### **DOCKET NO.3361 - Refined Properties, LLC, 46 Pond Lane**

Attorney Robert Annese and Architect Martha Penzenik presented the petition seeking permission to construct a two-family home on the site. The board agreed that the three qualifications were met by the petitioner. The board agreed to grant the VARIANCE with the following conditions: that the town and the petitioner agree on a suitable parking arrangement, that the third floor area remain for storage only and that a certified topographical as built plan be submitted.

#### **DOCKET NO.3365 - Michael Demartino, 32 Philemon St**

Attorney Robert Annese presented the petition seeking permission to construct an unenclosed porch on a proposed 2 story dwelling to be built on the foundation of the dwelling to be demolished. The property is located on the Arlington/Lexington line and the petitioner had already received approval from the Lexington ZBA. The board voted unanimously to grant the VARIANCE.

#### **DOCKET NO.3367 - Elizabeth and David Casanave, 9 Piedmont St**

Attorney Robert Annese and Contractor Robert DiBiase presented the petition to construct an addition to the existing dwelling. The board voted unanimously to grant the VARIANCE.

#### **DOCKET NO.3369 - Mackey Construction Co., 0 Lee Terrace**

Attorney Richard Keshian presented the petition - an Appeal from the Decision of the Building Inspector with regard to the construction of a two family dwelling and the amount of frontage on the site. Mr Keshian stated that Lee Terrace was established in 1910 prior to the establishment of Zoning Bylaw in 1924. A list of building permits issued to Lee Terrace occupants 1927-1974 was submitted as well as a petition and letters of approval from abutters to the site. A list of other narrow streets in the Town was also submitted. The effort to extend the asphalt on the property was suggested to be made a condition of the appeal which was granted by a unanimous vote of the board.

#### **DOCKET NO.3364 - Richard Fraiman for the Capitol Theatre, 3 Lake Street**

Mr. Fraiman and a representative from the sign company presented the petition requested permission to erect a perpendicular sign attached to the building. The board voted unanimously to grant the SPECIAL PERMIT.

#### **DOCKET NO. - 3368 - Gerald Graziano, 59 Thesda Street**

Attorney Benjamin Harrower presented the petition seeking permission to park commercial vehicles on the site - a situation which

had existed on the property since 1947. Letter of support from neighbors were submitted. The board requested and the petitioner provided a list of all vehicles with a motor that were currently on the property.

The board requested that the petitioner contact the Building Inspector as to what storage would be allowed on the property. The board requested that all machinery not related to the business be removed as well as any machinery in the front yard. The board then voted unanimously to grant the SPECIAL PERMIT.